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**ATTORNEYS FOR LEGACYTEXAS BANK**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

IN RE: § Chapter 11  
LINKSIDE PARK, LTD, § Case No. 10-40070  
Debtor. §

**LEGACYTEXAS BANK'S RESPONSE TO DEBTOR'S MOTION FOR EXTENSION OF  
DEADLINE TO FILE OBJECTION AND RESPONSE**

TO THE HONORABLE COURT:

LegacyTexas Bank (“Legacy”), a creditor of Linkside Park, Ltd. (“Debtor”) opposes the Motion for Extension of Deadline to File Objection and Response to LegacyTexas Bank’s Motion for Relief from Automatic Stay filed by the Debtor and in support would respectfully show:

1. On January 4, 2010, the Debtor filed a voluntary petition under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §§ 101, et seq. The Debtor has continued as a Debtor-in-Possession pursuant to Sections 1107(a) and 1108 of the Bankruptcy Code. The Debtor’s business consists of the ownership of a tract of real property and improvements located in Collin County, Texas (“Real Property”). The Debtor filed its case as a Single Asset Real Estate as defined in 11 U.S.C. § 101(51B). Legacy is a creditor holding a claim secured by the

Real Property.

2. On January 27, 2010, Legacy filed its Motion for Relief from Automatic Stay seeking to lift the automatic stay to permit Legacy to pursue its legal rights against the Debtor, including enforcing its lien against the Real Property. The Real Property was posted for foreclosure at the time the Debtor filed its bankruptcy petition.

3. The Debtor fails to establish cause to justify the extension of the date for filing a response to the motion for relief from automatic stay required under the Local Bankruptcy Rules for this District. Although, James Chen, the principal owner of one of the general partners of the Debtor may be out of the country, the Debtor's motion fails to establish why Neal Cukerbaum, the principal owner of the other co-general partner of the Debtor is not able to provide information necessary for the Debtor to file a response to Legacy's motion. It is also not clear from the Debtor's motion why counsel has been unable to communicate with Mr. Chen if in fact that is necessary.

4. The Debtor has filed its schedules and statement of financial affairs in the case. The Debtor admits in its schedules that there is no equity in the Real Property subject of Legacy's motion. The Debtor fails to identify the additional information that is necessary that only Mr. Chen can provide that would allow Debtor's counsel to file its response. There is no justification for the additional delay that granting an extension to respond will cause.

WHEREFORE, PREMISES CONSIDERED, LegacyTexas Bank prays that this Court deny the Debtor's request for a Motion for Extension of Deadline to File an Objection and Response to Legacy's Motion for Relief from Automatic Stay and grant it such other further relief to which it may show itself justly entitled.

Dated: February 11, 2010.

Respectfully submitted,

*/s/ Robert P. Franke*

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon all on the attached service list and parties that are registered or otherwise entitled to receive electronic notices via electronic notification pursuant to the ECF procedures in this District on this 11<sup>th</sup> day of February, 2010.

*/s/ Robert P. Franke*

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